

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JACKIE WAYNE SPARKS,

Plaintiff,

v.

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

No. 3:15-cv-02375-SB

OPINION AND ORDER

MOSMAN, J.,

On July 5, 2017, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) [18], recommending that I AFFIRM the Commissioner’s decision to deny Mr. Sparks’s application for Social Security disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. § 405(g). No objections to the F&R were filed.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a *de novo* determination regarding those portions of the report or specified findings or recommendations as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the

court is not required to review, *de novo* or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny with which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Beckerman's recommendation and ADOPT the F&R [18] as my own opinion. The Commissioner's decision to deny Mr. Sparks's application for Social Security disability insurance benefits is AFFIRMED.

IT IS SO ORDERED.

DATED this 4th day of August, 2017.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
Chief United States District Judge